

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOSEPH LUCAS,

Plaintiff,

v.

OCWEN LOAN SERVICING, LLC, *et al.*,

Defendants.

Case No. C12-1552RSL

ORDER TO SHOW CAUSE

This matter comes before the Court *sua sponte*. On September 12, 2012, defendant removed the above-captioned matter to federal court alleging that the Court has jurisdiction based on the diversity of citizenship of the parties. See 28 U.S.C. § 1332(a) (establishing that the federal court’s basic diversity jurisdiction extends to “all civil actions where the matter in controversy exceeds . . . \$75,000 . . . and is between . . . citizens of different States.”). “For a case to qualify for federal jurisdiction under 28 U.S.C. § 1332(a), there must be complete diversity of citizenship between the parties opposed in interest.” Kuntz v. Lamar Corp., 385 F.3d 1177, 1181 (9th Cir. 2004) (internal citation omitted). In examining whether complete diversity is present, the citizenship of a limited liability company is determined by examining the citizenship of

1 the owners/members. See Johnson v. Columbia Props. Anchorage, LP, 437 F.3d 894, 899  
2 (9th Cir. 2006) (holding that “like a partnership, an LLC is a citizen of every state of  
3 which its owners/members are citizens”).

4 Although defendants acknowledge the above authority, they failed to provide the  
5 citizenship of each owner/member of Ocwen Capital Management, LLC, the general  
6 partner of defendant Litton Loan Servicing LP. Therefore, defendants have failed to meet  
7 their burden to establish the basis of the Court’s jurisdiction. See Indus. Tectonics, Inc. v.  
8 Aero Alloy, 912 F.2d 1090, 1092 (9th Cir. 1990) (“The party asserting jurisdiction has the  
9 burden of proving all jurisdictional facts”); Fed R. Civ. P. 12(h)(3) (“If the Court  
10 determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the  
11 action”). As a result, defendants are ORDERED TO SHOW CAUSE why the Court  
12 should not remand this action to state court by providing the Court with the citizenship of  
13 all of the owners/members of Ocwen Capital Management, LLC, at the time the  
14 complaint was filed, by September 28, 2012. The Clerk of the Court is directed to place  
15 this order to show cause on the Court’s calendar for September 28, 2012.

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17 Dated this 14th day of September, 2012.

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20 Robert S. Lasnik  
21 United States District Judge  
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